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P&G Case 7892C

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of	:	
Scott Edward Osborne	:	Confirmation No.
Serial No. To Be Assigned	:	Group Art Unit
Filed March 19, 2004	:	Examiner

For Compositions for Efficient Release of Active Ingredients

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. §§ 1.56, 1.97 and 1.98, record is being made on the attached Form PTO/SB08 of documents which the Patent Office may wish to consider in connection with examination of the above-identified patent application. It is respectfully requested that the cited documents be carefully considered by the Examiner and made of record in this case. As provided in §1.97(g), no representation is made or intended that a thorough art search was made. As provided in 37 C.F.R. §1.97(h), this Information Disclosure Statement does not constitute an admission of any kind, and specifically is not an admission that the documents listed on attached form PTO/SB08 are, or are considered to be, material to the patentability of the above-identified patent application, as defined in 37 C.F.R. §1.56(b).

1. ☒ 37 C.F.R. §1.97(b)(1) - U.S. Direct (use when filing IDS with nonprovisional patent application, or with Request for Continued Examination (RCE); or within 3 months of filing a nonprovisional patent application)

This information disclosure statement, submitted under 37 C.F.R. §1.97(b)(1), is being filed with the patent application, with a Request for Continued Examination or within three months of the filing date of a national application. Therefore, no fee is believed to be due.

2. ☐ **37 C.F.R. §1.97(b)(3) - (use when filing IDS more than 3 months after filing a nonprovisional patent application, but prior to receipt of first Office Action)**

This information disclosure statement is being submitted under 37 C.F.R. §1.97(b)(3). Applicants have not received an Office Action on the merits in the present application. Therefore, no fee is believed to be due. However, in the event that this paper is crossing in the mail with a first Office Action on the merits, authorization is hereby given to charge the required fee pursuant to 37 C.F.R. §1.97(c) and 37 C.F.R. §1.17(p) to Deposit Account No. 16-2480 in the name of The Procter & Gamble Company. A duplicate of this letter (or a fee transmittal form) is enclosed to facilitate charging of the fee, if necessary.

3. ☐ **37 C.F.R. §1.97(b)(4) - (use when filing IDS prior to receipt of first Office Action after the filing of a Request for Continued Examination (RCE) under §1.114)**

This information disclosure statement is being submitted under 37 C.F.R. §1.97(b)(4). Applicants have not received a first Office Action after filing a Request For Continued Examination (RCE). Therefore, no fee is believed to be due. However, in the event that this paper is crossing in the mail with a first Office Action on the merits, authorization is hereby given to charge the required fee pursuant to 37 C.F.R. §1.97(c) and 37 C.F.R. §1.17(p) to Deposit Account No. 16-2480 in the name of The Procter & Gamble Company. A duplicate of this letter (or a fee transmittal form) is enclosed to facilitate charging of the fee, if necessary.

4. ☐ **37 C.F.R. §1.97(c) with fee payment - (use when filing IDS after receipt of first Office Action, and before receipt of Final Office Action, Notice of Allowance, or an action that otherwise closes prosecution)**

This information disclosure statement is being submitted under 37 C.F.R. §1.97(c). Applicant(s) have not received a final action under 37 C.F.R. §1.113, a notice of allowance under 37 C.F.R. §1.311, or an action that otherwise closes prosecution in the application (e.g., *Ex parte Quayle*) as of the date of this submission. Applicant(s) elect to pay the fee set forth in 37 C.F.R. §1.17(p). Please charge the fee set forth in 37 C.F.R. §1.17(p) to Deposit Account Number 16-2480 in the name of The Procter & Gamble Company. A duplicate copy of this letter (or a fee transmittal form) is enclosed to facilitate the charging of the fee.

5. ☐ **Information to be Considered with Continued Prosecution Application (CPA) Filing (use when filing IDS with a Continued Prosecution Application (CPA) for Design Case).** This information disclosure statement is being filed with a Continued Prosecution Application (CPA) filed under 37 C.F.R. 1.53(d).

ADDITIONAL ITEMS TO BE NOTED BY THE EXAMINER:

☐ (1) (For use with applications filed prior to or on June 30, 2003.) Copies of the cited documents are enclosed.

OR

☐ (2) (For use with applications filed after June 30, 2003.) In accordance with 37 C.F.R. §1.98(a)(2), Applicants are submitting copies of foreign patent documents and non-patent literature.

OR

☒ (3) All of the cited references were previously cited by or submitted to the USPTO in prior application Case No. 7892, U.S. Patent Application Serial No. 09/466,343, filed 12/17/99. Applicants claim priority to said application under 35 U.S.C. §120. Accordingly, copies of previously submitted references are not provided with this Statement, pursuant to 37 C.F.R. §1.98(d). It is respectfully requested that the cited documents be carefully considered by the Examiner and made of record in this case.

OR

☐ (4) Copies of all said documents, except Cite Numbers _____, were submitted and considered in parent application U.S. Patent Application Serial No. _____, filed _____. Applicant(s) claim priority to said application under 35 U.S.C. §120. Accordingly, copies of previously submitted references are not provided with this Statement, pursuant to 37 C.F.R. §1.98(d). Copies of references not previously submitted are enclosed. It is respectfully requested that the cited documents be carefully considered by the Examiner and made of record in this case.

☐ (5) Pursuant to 37 C.F.R. §1.98(c), a concise explanation of the relevance of each cited reference that is not in the English language is provided.

☐ (6) Applicants also respectfully request the Examiner to consider and make of record the co-pending applications listed on the attached page.

☐ Additional information is attached.

Respectfully submitted,

By


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Attorney or Agent for Applicant(s)

Registration No. 37,290

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Date: March 19, 2004

Customer No. 27752

(IDS.doc) (Last Revised 10/10/03)

CO-PENDING U.S. APPLICATIONS

Entire copies of all co-pending applications (or the portion of the application and claims that caused it to be cited) must be sent with the IDS (see 37 CFR 1.98(a)(2)(iii))

<u>Atty. Docket No.</u>	<u>Serial Number</u>	<u>Inventor(s)</u>	<u>Filing Date</u>
7892	09/466,343	Osborne	12/17/99

[Only applications that remain pending at the time of submitting this IDS should be listed here. For applications in which patents have issued, the granted patents should be listed on Form PTO/SB08.]

Please type a plus sign (+) inside this box → [+]

PTO/SB08A (08-03)

U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number

<p style="text-align: center;">Substitute for form 1449A/PTO</p> <p style="text-align: center; font-size: 1.2em; font-weight: bold;">INFORMATION DISCLOSURE STATEMENT BY APPLICANT</p> <p style="text-align: center;">(use as many sheets as necessary)</p> <p>SHEET 1 of 2</p>	<p style="text-align: center; font-weight: bold;">COMPLETE IF KNOWN</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">Application Number</td> <td style="width: 50%;">To Be Assigned</td> </tr> <tr> <td>Confirmation Number</td> <td>To Be Assigned</td> </tr> <tr> <td>Filing Date</td> <td>March 19, 2004</td> </tr> <tr> <td>First Named Inventor</td> <td>Scott Edward Osborne</td> </tr> <tr> <td>Group Art Unit</td> <td>To Be Assigned</td> </tr> <tr> <td>Examiner Name</td> <td>To Be Assigned</td> </tr> <tr> <td>Attorney Docket Number</td> <td>7892C</td> </tr> </table>	Application Number	To Be Assigned	Confirmation Number	To Be Assigned	Filing Date	March 19, 2004	First Named Inventor	Scott Edward Osborne	Group Art Unit	To Be Assigned	Examiner Name	To Be Assigned	Attorney Docket Number	7892C
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First Named Inventor	Scott Edward Osborne														
Group Art Unit	To Be Assigned														
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U. S. PATENT DOCUMENTS

EXAMINER INITIALS*	Cite No. ¹	DOCUMENT NUMBER	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear
		Number - Kind Code ² (if known)			
		2,804,424	08/27/1957	STIRN ET AL.	
		3,489,148	01/13/1970	DUNCAN ET AL.	
		3,490,454	01/20/1970	GOLDFARB ET AL.	
		3,585,998	06/22/1971	HAYFORD ET AL.	
		3,875,942	04/08/1975	ROBERTS ET AL.	
		3,896,807	07/29/1975	BUCHALTER	
		3,902,493	09/02/1975	BAIER ET AL.	
		4,112,167	09/05/1978	DAKE ET AL.	
		4,263,363	04/21/1981	BUCK ET AL.	
		4,324,247	04/13/1982	AZIZ	
		4,513,051	04/23/1985	LAVASH	
		4,556,560	12/03/1985	BUCKINGHAM	
		4,563,346	01/07/1986	DECKNER	
		4,569,343	02/11/1986	KIMURA ET AL.	
		4,623,339	11/18/1986	CIRALDO ET AL.	
		4,666,765	05/19/1987	CALDWELL ET AL.	
		4,695,452	09/22/1987	GANNIS ET AL.	
		4,704,112	11/03/1987	SUZUKI ET AL.	
		4,753,643	06/28/1988	KASSAI	
		4,790,836	12/13/1988	BRECHER	
		4,882,204	11/21/1989	TENENBAUM	
		4,900,317	02/13/1990	BUELL	
		4,904,524	02/27/1990	YOH	
		4,959,059	09/25/1990	EILENDER ET AL.	
		4,990,144	02/05/1991	BLOTT	
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		4,996,239	02/26/1991	MATRAVERS	
		5,043,155	08/27/1991	PUCHALSKI ET AL.	
		5,264,460	11/23/1993	JAKOBSON ET AL.	
		5,321,098	06/14/1994	LAL	
		5,370,132	12/06/1994	WEBER ET AL.	
		5,415,649	05/16/1995	WATANABE ET AL.	
		5,444,096	08/22/1995	MCCREA ET AL.	
		5,509,915	04/23/1996	HANSON ET AL.	
		5,525,346	06/11/1996	HARTUNG ET AL.	
		5,558,655	09/24/1996	JEZZI ET AL.	
		5,609,587	03/11/1997	ROE	
		5,614,178	03/25/1997	BLOOM ET AL.	
		5,635,191	06/03/1997	ROE ET AL.	
		5,643,588	07/01/1997	ROE ET AL.	

		5,665,364	09/09/1997	MCATEE ET AL.	
		5,763,497	06/09/1998	IKEDA ET AL.	
		6,153,209	11/28/2000	VEGA ET AL.	

FOREIGN PATENT DOCUMENTS

EXAMINER INITIALS*	Cite No. ¹	FOREIGN PATENT DOCUMENT		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³	Number ⁴ Kind Code ⁵ (if known)				
		EP 0 297 828 A1		01/04/1989	EUROPEAN PAT. APP.		
		EP 0 804 923 A2		11/05/1997	EUROPEAN PAT. APP.		
		EP 0 692 263 A3		01/17/1996	EUROPEAN PAT. APP.		
		DE 198 52 196 A1		05/11/2000	GOLZ-BERNER ET AL.		
		EP 0 631 774 A1		01/04/1995	GRÜENING ET AL.		
		EP 1 080 713 A2		03/07/2001	GERS-BARLAG ET AL.		
		WO 88/04168		06/16/1988	SHEPPARD ET AL.		
		WO 96/27364		09/12/1996	PETERS ET AL.		
		WO 99/13861		03/25/1999	MCATEE ET AL.		
		WO 99/45973		09/16/1999	ROE ET AL.		
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		CA 2,019,557		12/22/1990	VISHNPAD ET AL.		
		DE 4,136,540 A1		05/14/1992	PEGAZ		
		EP 0 631 768 A1		01/04/1995	PLISCHKE ET AL.		
		GB 2,033,751 A		05/29/1980	DUNFORD ET AL.		
		JP 02-31756		02/01/1990	IWASAKI		
		JP 05-285170		11/02/1993	KASAI ET AL.		
		JP 08-52175		02/27/1996	LICHSTEIN		
		JP 61-028078		02/07/1986	GIICHI		
EXAMINER				DATE CONSIDERED			

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Applicant's unique citation designation number (optional). ²See Kind Codes of U.S. Patent Documents at www.uspto.gov or MPEP 901.04. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 37 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

PTO-SB08

(Revised for P&G use 10/8/2003)